

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

CHARLES WILLIE NOLAN,)	
)	
Petitioner,)	
vs.)	NO. CIV-13-1074-HE
)	
TRACY MCCOLLUM, Warden,)	
)	
Respondent.)	


ORDER

Petitioner Charles Willie Nolan, a state prisoner appearing *pro se*, filed this action under 28 U.S.C. § 2254 seeking habeas relief. Consistent with 28 U.S.C. §636(b), the matter was referred for initial proceedings to Magistrate Judge Charles B. Goodwin, who recommended that a motion to dismiss filed by respondent Tracy McCollum be granted. The magistrate judge concluded that all grounds of the petition are untimely under the one year statutory limitations period established by the Antiterrorism and Effective Death Penalty Act of 1996.

Petitioner, having failed to object to the Report and Recommendation, waived his right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). *See* 28 U.S.C. § 636(b)(1)(C). Accordingly, the court **ADOPTS** Magistrate Judge Goodwin's Report and Recommendation, **GRANTS** respondent's motion to dismiss [Doc. #14] and **DISMISSES** the habeas petition with **PREJUDICE**.

IT IS SO ORDERED.

Dated this 5th day of May, 2015.



JOE HEATON
UNITED STATES DISTRICT JUDGE